

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TERRENCE BUCHANAN,

Plaintiff,

v.

SHERIFF DEPUTY KEITH KELLY,

Defendant.

ORDER

11-cv-238-slc

Plaintiff Terrence Buchanan, an inmate at the Dane County Jail in Madison, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis* and has supported his request with an affidavit stating that he has only been in the Dane County Jail for two months and does not have any bank accounts, real estate or other assets. Plaintiff also states that he did not hold a job prior to his detention in the Dane County Jail. A decision on the request will be delayed until plaintiff submits an inmate account statement for the period of his detention in the Dane County Jail that immediately precedes the filing of the complaint as required by 28 U.S.C. § 1915(a)(2) and the 1996 Prison Litigation Reform Act.

Plaintiff's complaint was filed on March 28, 2011. His trust fund account statement should cover the period from the beginning of his detention at the Dane County Jail and ending approximately March 28, 2011. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under 28 U.S.C. § 1915(e)(2). Plaintiff should show a copy of this order to jail officials to insure that they are aware they should send a copy of plaintiff's inmate trust fund account statement to this court.

ORDER

IT IS ORDERED that plaintiff Terrence Buchanan may have until April 21, 2011, in which to submit a certified copy of his inmate account statement for the period beginning approximately the start of his detention and ending approximately March 28, 2011. If, by April 21, 2011, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily. In that event, the clerk of court is directed to close this case without prejudice to plaintiff's filing his case at a later date.

Entered this 4th day of April, 2011.

BY THE COURT:


PETER A. OPPENEER
Magistrate Judge